

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KAMEL CHANEY-SNELL,

Plaintiff,

v.

Case No. 20-13064

ANDREW YOUNG,
ST. CLAIR COUNTY,
ANDREW TEICHOW, and
CITY OF PORT HURON,

Honorable Nancy G. Edmunds

Defendants.

/

ORDER STAYING AND ADMINISTRATIVELY CLOSING CASE

In this civil rights lawsuit filed pursuant to 42 U.S.C. § 1983, Plaintiff Kamel Chaney-Snell brought a Fourth Amendment claim against Defendant Officers Andrew Young and Andrew Teichow and a *Monell* claim against Defendants St. Clair County and City of Port Huron. In an opinion and order on the parties' motions for summary judgment, the Court dismissed Plaintiff's *Monell* claim against both municipalities but found that Defendant Officers are not entitled to the defense of qualified immunity and thus Plaintiff's Fourth Amendment claim against Officers Young and Teichow survives summary judgment. (ECF. 39.) Both Defendant Officers filed a notice of appeal to the Sixth Circuit Court of Appeals. (ECF Nos. 45, 47.)

While the denial of summary judgment is generally not a final, appealable order under 28 U.S.C. § 1291, "a district court's denial of a claim of qualified immunity, to the extent that it turns on an issue of law,' falls within a limited category of immediately appealable collateral orders." *Estate of Barnwell v. Grigsby*, 681 F. App'x 435, 439 (6th Cir. 2017) (quoting *Mitchell v. Forsyth*, 472 U.S. 511, 530 (1985)). Courts often stay the

district court proceedings pending interlocutory appeals of the qualified immunity issue. See, e.g., *Essex v. County of Livingston*, 518 F. App'x 351, 354 (6th Cir. 2013); *Richko v. Wayne County Sheriff's Dep't*, No. 12-CV-11232, 2015 U.S. Dist. LEXIS 57922, at *2 (E.D. Mich. May 4, 2015). Thus, IT IS HEREBY ORDERED that this action is STAYED and CLOSED for administrative purposes pending resolution of the interlocutory appeal. The case will be reopened once the Sixth Circuit issues its mandate.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: April 10, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 10, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager